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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 673,105	10 10 2000	Armin Labatzke	P00,1774	7683

7590

07 22 2003

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EXAMINER

NGUYEN, TUYEN T

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 07 22 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/673,105

Applicant(s)

Labatzke

Examiner

Tuyen T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 9, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in the National Center for Intellectual Property Rights (NCIPR) database.
- See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1. ☒ Notice of References Cited (PIO 847)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PIO 848)
3. ☐ Information Disclosure Statement(s) (PIO-1449) Paper No. s _____
4. ☐ Interview Summary (PTO 413) Paper No. s _____
5. ☐ Notice of Informal Patent Application (PTO 152)
6. ☐ Other _____

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DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: In line 5, "do" should be corrected as --so--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satou et al. [US 4,314,221] in view of Muckelroy [US 3,585,553].

Satou et al. discloses a carrier member [1, figure 3] composed of a unitary body having at least two metallic contact surfaces [10, figure 3] electrically insulated from each other being disposed at an exterior of the body on a common plane of the carrier so as to be substantially co-planar with the carrier body. Muckelroy discloses a carrier body having at least one surface disposed on at least one surface of the carrier body that is disposed at a 90 degrees angle relative to the common plane of the contact surfaces and respective electrically conductive connections between the metallized surfaces and the contact surfaces.

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Satou et al. discloses the instant claimed invention except for the unitary body being formed of ceramic material.

Muckelroy discloses a chip inductor device using a ceramic body.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use ceramic for the unitary body of Satou et al., as suggested by Muckelroy, for the purpose of controlling the magnetic characteristics.

Regarding claims 2 and 12, Satou et al. discloses the unitary body supporting and electrically connecting an inductor [2], wherein the inductor includes a core [3] and a winding [2] wound thereabout.

Regarding claim 4, Satou et al. discloses the unitary body having two walls disposed at an angle of 90 degrees relative to the common plane and a base disposed to the walls and parallel the common plane and two end walls perpendicular to the base and the walls [figures 3-4]

Regarding claims 5-6, Satou et al. discloses non-metallized grooves/recesses situated between the metallic contact surfaces and metallized surfaces [figures 1a-1b].

Regarding claims 7-9, Satou et al. discloses at least one lead terminal electrically connected to one of the metallized surfaces.

Regarding claim 10, Satou et al. discloses the unitary body having a projection extending from the base.

Satou et al. discloses the instant claimed invention except for the projection extending from the base.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the projection extends from the base instead of the core, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167.

To use a conical shaped projection would have been an obvious design consideration for the purpose of facilitating mounting.

Response to Arguments

4. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

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calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Tuyen T. Nguyen whose telephone number is (703) 308-0821.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Elvin Enad, can be reached at (703) 308-7619. The fax number for this Group are (703) 308-7722 and (703) 308-7724.

Any inquiry of a general nature or relating to status of this application of proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

TTN *TTN*

July 13, 2003

Tuyen T. Nguyen